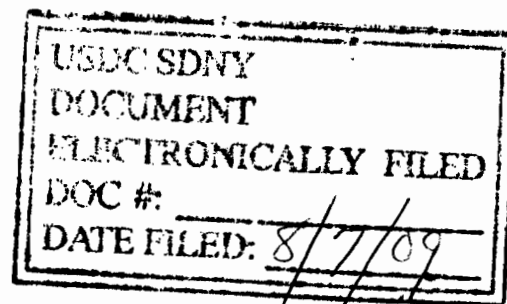


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



-----X
UNITED STATES OF AMERICA

- against -

ROESHAWN YOUNG,

Defendant.
-----X

ORDER

S1 06 CR 199 (SAS)

SHIRA A. SCHEINDLIN, U.S.D.J.:

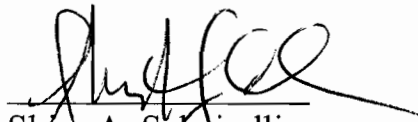
Defendant Roeshawn Young, proceeding pro so, has moved for a reduction of sentence pursuant to 18 U.S.C. § 2582(c)(2) in connection with the recent crack cocaine amendments to the United States Sentencing Commission Guidelines Manual. Both his CJA attorney, Bobbi Sternheim, and Assistant United States Attorney Anjan Sahni, agree that Young is not eligible for a sentence reduction because his Guidelines range does not change as a result of the recent amendments. *See* Presentence Investigation Report ¶¶ 38 - 57.

Accordingly, Young's motion is denied.¹ The Clerk of the Court is directed to

¹ *See United States v. Martinez*, 572 F.3d 82 (2d Cir. 2009) (per curiam) ("Accordingly, reducing a defendant's sentence pursuant to § 3582(c)(2) is only appropriate if (a) the defendant was sentenced 'based on a sentencing range that has subsequently been lowered by the Sentencing Commission' and (b) the reduction is 'consistent with applicable policy statements issued by the Sentencing Commission.'") (quoting 18 U.S.C. 3582(c)(2)).

Clerk of the Court is directed to close Young's motion, entitled "Request to Have Sentence Modify Pursuant to Amendment 706" (Document # 16).

SO ORDERED:



Shira A. Scheindlin
U.S.D.J.

Dated: New York, New York
August 7, 2009

- Appearances -

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